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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/614,276	07/12/2000	Wolfgang Theimer	473-009548-US(PAR)	2128
2512	7590	05/31/2005	EXAMINER	
PERMAN & GREEN 425 POST ROAD FAIRFIELD, CT 06824			WOO, ISAAC M	
			ART UNIT	PAPER NUMBER
			2162	
DATE MAILED: 05/31/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/614,276

Applicant(s)

THEIMER ET AL.

Examiner

Isaac M Woo

Art Unit

2162

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 February 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-7 and 10-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2-7, 10-15, 17 and 18 is/are rejected.
- 7) ☒ Claim(s) 16 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This action is in response to Applicant's Amendments on February 28, 2005 have been considered but are deemed moot in view of new ground of rejections below.
2. Pending claims are 2-7 and 10-18.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2-7 and 10-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chou et al (U.S. Patent No. 5,737,489, hereinafter, "Chou") in view of Boman et al (U.S. Patent No. 6,480,819, hereinafter, "Boman").

With respect to claim 18, Chou discloses, in response to an input by a user (18, unknown speech inputted, fig. 1, col. 4, lines 34-51), identifying one or more terms (col. 4, lines 34-51), which are as appropriate as possible for this input based on a confidence value (22, confidence measure signal, fig. 1, col. 4, lines 34-51); calculating

an overall probability from the confidence value of the identified term (col. 4, lines 34-51); and processing the identified terms according to the overall probability (total probability, col. 11, lines 26-57). Chou does not explicitly disclose, determining data records that match the identified terms as well as probability values assigned thereto wherein each of the probability values is calculated for each stored data record as a ratio of the number of times this data record has been used during a certain period of time in the immediate recent past to the total number of times all the data records have been used during this certain period so as to describe the relative probability of the data record being used again. However, Boman discloses, "word history data store 30 may be provided to store a record of previously resolved word ambiguities, allowing the system to "learn" the user's viewing habits, thereby assisting the word selector in resolving subsequent word recognition ambiguities", see (30, word history data store, fig. 1, col. 3, lines 28-33, col. 6, lines 45-49). This teaches that the system combines user's term confidence by recognition habits history stored in word history database, which combines the other term recognition confidence value. Thus most used term has high confidence value. Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention was made to modify Chou by incorporating determining data records that match the identified terms as well as probability values assigned thereto wherein each of the probability values is calculated for each stored data record as a ratio of the number of times this data record has been used during a certain period of time in the immediate recent past to the total number of times all the data records have been used during this certain period so as to describe

the relative probability of the data record being used again. Thus, one having ordinary skill in the art at the time the invention was made would have been motivated to use such a combination because that would provide high confidence term recognition value with combining the term history used before in speech recognition system.

With respect to claim 2, Chou discloses, confidence value is a value from an interval between a number, preferably 1, corresponding to reliable identification, and that for an input which cannot be identified, corresponding to 0, including these values, see (fig. 5, col. 15, lines 18-62).

With respect to claim 3, Chou discloses, identified terms are announced and/or displayed to a user as a system response, starting with the term identified as being the most reliable, on the basis of their overall probability, see (fig. 2, col. 4, lines 53-63).

With respect to claim 4, Chou discloses, each identified term, those data records which are appropriate for the identified terms are looked for in a list of stored data records, see (col. 14, lines 16-40).

With respect to claim 5, Chou discloses, input is completed by a data record appropriate for the identified term, using a form-based dialogue structure, see (fig. 5, col. 8, lines 35-64).

With respect to claim 6, Chou discloses, data input is completed in response to a request signal, see (18, unknown speech inputted, fig. 1, col. 4, lines 34-51).

With respect to claim 7, Franz discloses, number of data records found can be reduced by inputting one or more further terms, see (fig. 1, col. 4, lines 34-51).

With respect to claim 10, Chou discloses, announcement/display sequence of the data record is defined as a function of their overall probability, see (total probability, col. 11, lines 26-57).

With respect to claim 11, Chou discloses, identified terms are announced and/or displayed individually and successively, or as a selection list for confirmation or selection, see (22, confidence measure signal, fig. 1, col. 4, lines 34-51).

With respect to claim 12, Chou discloses, if the input is a voice input, the confidence value is established in the normal manner for voice recognition, see (22, confidence measure signal, fig. 1, col. 4, lines 34-51).

With respect to claim 13, Chou discloses, voice input by a user is first of all subjected to speaker identification, and in that the subsequent voice recognition process

is carried out taking account of the result of the speaker identification, see (col. 14, lines 55-67).

With respect to claim 14, Chou discloses, input is made via an alphanumeric input device, with the terms entered in this way first of all being assigned the confidence value for reliable identification, see (col. 21, lines 19-55).

With respect to claim 15, Chou discloses, incorrectly alphanumerically input term, which has already frequently been input incorrectly in a manner specific to a particular user, is assigned a lower confidence value as a function of input-specific error statistics, see (22, confidence measure signal, fig. 1, col. 4, lines 34-51).

With respect to claim 17, Chou discloses, input is image input, see (col. 4, lines 34-51).

#### ***Allowable Subject Matter***

5. Claim 16 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

**Conclusion**

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Isaac M Woo whose telephone number is (571) 272-4043. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

IMW  
May 25, 2005

  
JEAN M. CORRIELUS  
PRIMARY EXAMINER